

II. REMARKS

Pursuant to the findings by the Examiner at pages 5-6 of allowable subject matter, Applicant has amended the claims, following the guidance, but adjusting the language according to matters such as antecedent basis and other Sec. 112 matters not previously identified in the record. Applicant has also amended dependent claims, e.g., to avoid double inclusion using language similar to that found as allowable in related application Ser. No. 11/510,351. See page 6 of that Office Action mailed 1/23/2012, and compare claims 55-57 with the claims from the instant application, e.g., claim 1. Other claim amendments have been made to tidy up the claims. Favorable consideration is respectfully requested.

As per the Petition filed herewith and incorporated by reference here, it is believed that prosecution should be reopened, or a notice of allowance be issued, in view of the amendment implementing the Examiner's guidance as to allowable subject matter. Additionally, the finality of the rejections is improper pursuant to the MPEP, Rules, and statutes set out below, for any or all of the following five reasons.

Although the present communication includes amendments to claims and argument and characterizations with respect to the claims and the cited art, the Applicant is not conceding in this application that the original claims are not patentable. Rather, any amendment characterization is being made for other reasons, including expeditious prosecution in just the instant application. The Applicant reserves the right to pursue at a later date any previously pending broader or narrower claims that capture any subject matter supported by the present disclosure. Accordingly, reviewers of this prosecution history, or that of any related child application, shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

With respect to the present application, the Applicant hereby rescinds any disclaimer of claim scope made in the parent application or any predecessor or related application. The

Examiner is advised that any previous disclaimer, if any, and the prior art that it was made to avoid, may need to be revisited. Nor should a disclaimer, if any, in the present application be read back into any predecessor or related application.

The application is believed to be in condition for allowance, and favorable action is requested. If the prosecution of this case can be in any way advanced by a telephone discussion, the Examiner is requested to call the undersigned at (312) 240-0824.

APPLICANT CLAIMS LARGE ENTITY STATUS. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235, and if any extension of time is needed, this shall be deemed a petition therefore.

Please direct all communication to the undersigned at the address given below.

Respectfully submitted,



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